

GIBSON, DUNN & CRUTCHER LLP

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

PUBLIC DOCUMENT

1050 Connecticut Avenue, N.W. Washington, D.C. 20036-5306
(202) 955-8500 (202) 467-0539 Fax
www.gibsondunn.com

November 15, 2001

(202) 955-8500

Via Email Delivery

Ms. Gloria Blue
Executive Secretary, TPSC
Office of the U.S. Trade Representative
600 Seventeenth Street, N.W.
Washington, DC 20508

Re: *Potential Action Under Section 203 of the Trade Act of 1974 With Regard to
Import of Certain Steel – Clarification of United States Export Data Submitted
by Nippon Steel Corporation on November 13, 2001*

Dear Ms. Blue:

This letter is filed on behalf of Nippon Steel Corporation ("NSC") to clarify certain United States export data that was submitted on November 13, 2001 in support of NSC's requests that certain steel products be excluded from any import restrictions that the President may impose under Section 203 of the Trade Act of 1974. NSC submitted these product exclusion requests in response to the Trade Policy Staff Committee's ("TPSC") October 26, 2001 notice that it will consider such requests. *See Trade Policy Staff Committee; Public Comments on Potential Action Under Section 203 of the Trade Act of 1974 With Regard to Import of Certain Steel*, 66 Fed. Reg. 54,321, 54,322-23 (Oct. 26, 2001) ("*TPSC Request for Comments*").

PUBLIC DOCUMENT

LOS ANGELES NEW YORK WASHINGTON, D.C. SAN FRANCISCO PALO ALTO
LONDON PARIS ORANGE COUNTY CENTURY CITY DALLAS DENVER

In its November 13, 2001 filing, NSC provided data concerning the value of its exports to the United States from 1996-2000, as well as data on its projected exports from 2001-2005, in response to the TPSC's request that exclusion requests provide information on United States consumption of the product subject to the exclusion request. *See TPSC Request for Comments*, 66 Fed. Reg. 54,321, 54,323. The November 13 filing, however, did not state the basis for these values. NSC wishes to make clear that its data for both its past and projected exports to the United States were free-on-board ("FOB") Japan values, which means that the values did not include either transportation costs to the United States or United States Customs duties. If the TPSC would find this relevant, we can provide value information that includes NSC's estimate of the landed, United States Customs duty paid cost.

If you have any questions concerning this clarifying filing or need additional information, please contact any one of the undersigned. Thank you for your assistance in the filing of this submission, and we regret any inconvenience.

Yours sincerely,



Joseph H. Price
Donald Harrison
Andrea Fekkes Dynes
Gregory C. Gerdes